

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

IN RE PORK ANTITRUST
LITIGATION

Case No. 18-cv-1776 (JRT/JFD)

This Document Relates to:

Certain Direct Action Plaintiff Actions

**STIPULATION FOR CERTAIN
DIRECT ACTION PLAINTIFFS' DISCOVERY DEADLINES**

Defendants and the undersigned Direct Action Plaintiffs¹ (together, the “Parties”) in the above-captioned action (the “Action”), through their respective counsel, hereby stipulate as follows:

WHEREAS, Cracker Barrel, Domino’s Pizza, and Golden Corral filed their notices of joinder to the Direct Action Plaintiffs’ Consolidated Complaint in this Action (“Notice”) on June 16, 2023,² and Shamrock filed its Notice on September 18, 2023,³ both of which are after the October 31, 2022 close of fact discovery (ECF No. 1397) and

¹ Cracker Barrel Old Country Store, Inc. and CBOCS Distribution, Inc. (together, “Cracker Barrel”); Domino's Pizza LLC and Domino's Pizza Distribution LLC (together, “Domino’s Pizza”); Golden Corral Corp. (“Golden Corral”); Shamrock Foods Company and United Food Service, Inc. (together, “Shamrock”).

² *Cracker Barrel Old Country Store, Inc. v. Agri Stats, Inc.*, No. 0:23-cv-01830, ECF No. 1 (filed D. Minn. June 16, 2023); *Domino’s Pizza LLC v. Agri Stats, Inc.*, No. 0:23-cv-01831, ECF No. 1 (filed D. Minn. June 16, 2023); *Golden Corral Corp. v. Agri Stats, Inc.*, No. 0:23-cv-01833, ECF No. 1 (filed D. Minn. June 16, 2023).

³ *Shamrock Foods Co. v. Tyson Foods, Inc.*, No. 023-cv-02871, ECF No. 1 (filed D. Minn. Sept. 18, 2023).

are on or after the June 16, 2023 deadline for Plaintiffs in this Action to identify and disclose testifying experts pursuant to Fed. R. Civ. P 26(a)(2)(B) and 26(a)(2)(C) (ECF No. 1927); and

WHEREAS, the Parties have discussed and agreed for Cracker Barrel, Domino's Pizza, Golden Corral, and Shamrock to complete discovery in time to be subject to the May 31, 2024 summary judgment deadline applicable to other parties in this Action (ECF No. 1927).

NOW THEREFORE, subject to the Court's approval, the Parties hereby stipulate that Cracker Barrel, Domino's Pizza, Golden Corral, and Shamrock will be subject to the following deadlines for discovery.⁴

Event	Proposed Deadline
Shamrock to Disclose Keyword Search Tools and/or TAR/CAL Tools	Sept. 29, 2023
Shamrock to Make Rule 26(a) Disclosures and Additional Required Disclosures	Sept. 29, 2023
Shamrock to Propose Document Custodians and Non-Custodial Document Sources	Sept. 29, 2023
Deadline for Shamrock's Objections and Responses to Initial Rule 33 and Rule 34 Requests	Within 30 Days of Service
Deadline for the Parties to Resolve Any Disputes over the Keyword Search Terms, Document and Data Sources, or Source Methodology Shamrock Will Use or to Raise Disputes with the Court	Oct. 11, 2023
Commencement of Rolling Production of Documents by Shamrock	Oct. 13, 2023
Substantial Completion of Structured-Data Productions by Cracker Barrel, Domino's Pizza, Golden Corral, and Shamrock	Oct. 27, 2023

⁴ For all deadlines after December 11, 2023, Cracker Barrel, Domino's Pizza, Golden Corral, and Shamrock will be subject to the operative Pretrial Scheduling Order (ECF No. 1927).

Event	Proposed Deadline
Cracker Barrel's, Domino's Pizza's, Golden Corral's, and Shamrock's Deadline for Objections and Responses to Initial Rule 36 Requests	Oct. 27, 2023
Substantial Completion of Document Productions by Cracker Barrel, Domino's Pizza, Golden Corral, and Shamrock	Oct. 27, 2023
Deadline for Cracker Barrel's, Domino's Pizza's, Golden Corral's, and Shamrock's Supplemental Expert Disclosures to a previously disclosed Plaintiff expert ⁵	Oct. 30, 2023
Deadline for Defendants' Response to Cracker Barrel's, Domino's Pizza's, Golden Corral's, and Shamrock's Supplemental Expert Disclosures	December 11, 2023

Dated: September 21, 2023

Respectfully submitted,

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⁵ Cracker Barrel, Domino's Pizza, Golden Corral, and Shamrock have confirmed they will submit a limited supplement to a previously disclosed expert report, setting forth their respective alleged damages estimates. Defendants' agreement to this schedule—in particular Defendants' commitment to respond to Cracker Barrel's, Domino's Pizza's, Golden Corral's, and Shamrock's expert disclosures in relatively short order—is predicated on that commitment.

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